REMARKS

Claims 1-7 are all the claims pending in this application. Claims 1-5 have been amended. No new matter is added.

I. Claim Rejections - 35 U.S.C. § 102

The Patent Office rejected claims 1-5 under 35 U.S.C. § 102(b) as allegedly being anticipated by GR-1230 (GR-1230-CORE, "SONET Bidirectional Line-Switched Ring Equipment Generic Criteria", Issue 4, December 1998, Chapter 6). Applicant respectfully traverses the § 102(b) rejection of claims 1-5.

In the Response to Arguments section, the Patent Office alleged that "R6-67 of GR-1230 (p.6-16) states, 'All protection shall be revertive.' This requirement does not exclude the use of infinite WTR time to provide the non-revertive mode of operation. That is, WTR applies to all revertive switching operation and, specifically, WTR applies to revertive switching from a ring event to a span event." (Office Action, pages 3 and 4).

Regarding the wait to restore (WTR) request, GR-1230, p.6-14 teaches:

> "This request is issued when working channels meet the restoral threshold after an SD or SF condition."

As seen in the above, the WTR request only considers the condition of the **working channels** and is issued only when the working channels are restored. Consequently, the WTR request is not issued in a case when the protection channels, but not the working channels, are restored. Even assuming, *arguendo*, that the WTR request is for switching to protection channels (that have been restored after a ring failure), the above passage does not examine whether the

protection channels meet the restoral threshold, because GR-1230 does not teach that the WTR request is for reverting to protection channels.

Further, assuming, *arguendo*, that the non-revertive mode (infinite WTR time) of the WTR request is used for a ring failure, traffic would continue to be managed as a ring failure on the protection channels and traffic would revert to neither the working channels nor protection channels of the repaired span. Applicant submits that if an infinite WTR time were used, traffic would be maintained on the protection channels (for the ring failure) for an infinite time, but the non-revertive mode does not indicate that traffic should be switched from protection channels based on a ring failure to protection channels based on a span failure.

Moreover, the following are R6-67, paragraph [68] and R6-68, paragraph [69] of GR-1230:

> "[68] All protection switching (ring and span) shall be revertive. This requirement does not exclude the use of the infinite WTR time to provide the non-revertive mode of operation."
>
> "[69] For 4-fiber BSLRs, **a switch shall revert only from the protection channels to the working channels, and never to the other protection channels**. For example, if protection is provided using a ring switch during a cable cut, and the protection channels on the failed span are repaired before the working channels, **the traffic that is already protected shall not revert** unless [1] the ring request is pre-empted or [2] the working channels are repaired." [emphasis added].

Where GR-1230 discusses that "all protection switching (ring and span) shall be revertive", it is for reverting after a ring failure is corrected or a span failure is corrected. However, that passage does not teach that the WTR request is for reverting from management of a ring failure to management of a span failure. The above passage indicates that "a **switch shall revert only**

from the protection channels to the working channels, and never to the other protection channels", and it gives two examples: (1) when the ring failure request is pre-empted and (2) when the working channels are restored.

The ring failure request is pre-empted when traffic having a higher priority needs to use the repaired (protection channels) span. However, the pre-empted ring failure request does not imply that the ring failure traffic will now be routed as span failure traffic on the restored protection channels. Instead, the high priority traffic uses the restored protection channels after pre-empting the ring failure traffic, which was not permitted to use the restored protection channels. Thus, the ring failure traffic is not managed as span failure traffic. These requirements are in accord with the above passage, that the WTR "*request is issued when working channels meet the restoral threshold after an SD or SF condition*"[1], because the WTR request is only for reverting to working channels.

Indeed, the reference fails to teach or suggest at least a method for managing a transition between a ring protection and a span protection for sending suitable ring failure signals of said ring protection by the nodes or network elements of a span protected by said ring protection, verifying that the protection channels of said span have been restored, maintaining said ring protection of said span, for a predetermined time, when the verification is positive, and managing said ring protection, as said span protection for said span, after said predetermined time, as recited in claim 1.

[1] GR-1230, p.6-14.

For the foregoing reasons, independent claims 1 and 4 are patentable, along with their respective dependent claims 2, 3, and 5. Applicant respectfully requests the Patent Office to withdraw the § 102 rejection of claims 1-5.

II. Claim Rejections - 35 U.S.C. § 103

The Patent Office rejected claims 6 and 7 under 35 U.S.C. 103(a) as allegedly being unpatentable over GR-1230 (GR-1230-CORE, "SONET Bidirectional Line-Switched Ring Equipment Generic Criteria", Issue 4, December 1998, Chapter 6) in view of Freeman ("Telecommunication System Engineering" by R. Freeman, John Wiley & Sons, 1980, pp. 99-103).

GR-1230 is deficient vis-à-vis claim 1. Freeman does not compensate for the deficiencies. Thus, the combined teachings of GR-1230 and Freeman do not teach or suggest the features of claim 1, nor its dependent claims 6 and 7. Applicant respectfully requests the Patent Office to withdraw the 103(a) rejection of claims 6 and 7.

III. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

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